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November 15, 2021

VIA ECF

Hon. Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *V.W. v. New York City Dep't of Educ.*, 21-cv-6495 (JPC)(SLC)

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request that the conference, scheduled for November 18, 2021, be adjourned *sine die*, and that the parties instead be permitted to submit a briefing schedule. Plaintiff consents to this request. This is the first request to adjourn the conference *sine die*. As settlement negotiations thus far have failed, the parties believe that this action will be resolved via Plaintiff's motion for summary judgment. Accordingly, the parties request that the November 18, 2021 conference be adjourned *sine die*, and that the parties be permitted to submit a briefing schedule.

Thank you for considering these requests.

Memo Endorsed: The application is granted in part. The initial pre-trial conference scheduled for November 18, 2021 is adjourned sine die. However, in light of Plaintiff's responsive letter regarding settlement discussions (Dkt. No. 14), the Court will refer this matter to Judge Parker for general pretrial supervision and to schedule a settlement conference.

Respectfully submitted,

/s/

Martha Nimmer
Special Assistant Corporation Counsel

SO ORDERED:


Paul G. Gardephe, U.S.D.J.

Dated:

Nov. 16, 2021